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09/514,945	02/28/2000	Hiroshi Nishihara	520.38267X00	8704

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EXAMINER

PARTON, KEVIN S

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/514,945

Applicant(s)

NISHIHARA ET AL.

Examiner

Kevin Parton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. Claim 6 is objected to because of the following informalities: The term “substation” in line 9 is a typographical error. The claim was examined assuming this should have been spelled “substitution”. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 4, 5, 7, and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding claim 1, the phrase “... both a user in charge to whom the work item is transferred and a substitute user predesignated by the user in charge every process to access the work item...” is unclear. Specifically, the words “every process” are unclear in the context of the claim. The claim has been rejected below as understood in its current form.

5. Regarding claim 4, the phrase “by the user in association with identification information of each of the users of the client terminals” (lines 8-10) is unclear. Specifically, the term “users” can refer to the primary user or the substitute user. Further, the phrase “when a request of start of the substitution process with respect to a work item received by another user is sent by a user” (lines 11-13) is also unclear. The term “user” is again ambiguous and can refer to any number of users of the system. The claim has been rejected below as understood in its current form.

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6. Regarding claim 5, the term "user" is ambiguous and seems to refer to different entities in different portions of the claim. The claim has been rejected below as understood in its current form.

7. Claim 6 recites the limitation "said controller" in line 7. There is insufficient antecedent basis for this limitation in the claim.

8. Regarding claim 7, the term "user" is ambiguous and seems to refer to different entities in different portions of the claim. The claim has been rejected below as understood in its current form.

9. Regarding claim 10, the term "user" is ambiguous and seems to refer to different entities in different portions of the claim. The claim has been rejected below as understood in its current form.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1, 4-7, 9, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Caruso et al. (USPN 5,848,271).

12. Regarding claim 1, Caruso et al. (USPN 5,848,271) teach a network system which transfers a work item generated or processed at each of the client terminals to the next user in charge in accordance with a prespecified process flow, comprising: a controller for allowing,

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with respect to at least one work item, both a user in charge to whom the work item is transferred and a substitute user predesignated by the user in charge every process to access the work item and directly or indirectly transferring the work item processed by either user to the next user in charge (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32). Please note that in the reference, any member of a group can access the tasks that he/she is qualified for.

13. Regarding claim 4, Caruso et al. (USPN 5,848,271) teach a system which transfers a work item generated or processed by each of the client terminals to a next user in charge in accordance with a prespecified process flow, comprising:

- a. A user information memory for storing a list of work items transferred to the user and identification information of a substitute user designated for each process by the user in association with identification information of each of the users of the client terminals (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32).
- b. Wherein when a request of start of the substitution process with respect to a work item received by another user is sent from a user except for the destination of the work item, the information stored in the user information memory corresponding to the another user is referred to, the qualifications of the user of a request source for a substitute of the another user is checked, and a work item which can be permitted to the user is specified (column 15, lines 24-32).

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14. Regarding claim 5, Caruso et al. (USPN 5,848,271) teach a system which transfers a work item generated or processed by each of the client terminals to a next user in charge in accordance with a prespecified process flow, comprising:

- a. A user information memory for storing information of a list of work items transferred to the user, identification information of a substitute user designated for each process by the user, and identification information of a user in charge who designates the user as a substitute in association with identification information of each of users of the client terminals (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32). Note that a user in charge would define the workgroups.
- b. A controller for creating, when a request of start of the substitution process with respect to a work item to be processed by another user is received from a user except for the user in the destination of the work item, a dialog box for selecting a user in charge on the client terminal as a request source on the basis of identification information of the user in charge stored in user information memory corresponding to the request source user, and for specifying, when a user in charge is designated by the request source user, work items which can be processed by the request source user instead of the user in charge by referring to information stored in the user information memory corresponding to the designated user in charge after checking the qualifications of the request source user for working as a substitute user

(figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32).

15. Regarding claim 6, Caruso et al. (USPN 5,848,271) teach all the limitations as applied to claim 4. They further teach means wherein:

- a. User information memory stores at least one of power of substitute, substitution conditions, and substitution effective term besides identification information of the substitute user designated by each user for each process (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32). Note that in the reference, security information is saved for a substitute user.
- b. The controller checks whether the identification information of the user has been registered in advance or not and at least one of the power of substitute, substitution conditions, and substitution effective term at the time of checking qualifications of the request source user (column 15, lines 24-32).

16. Regarding claim 7, Caruso et al. (USPN 5,848,271) teach a system which transfers a work item generated or processed at each of the client terminals to a next user in charge in accordance with a prespecified process flow, comprising:

- a. A process management table defining the relation between an identifier of each of nodes constructing a business process and a destination of a work item in correspondence with a business identifier (column 15, lines 24-32; figure 16h workgroup "To Do" list).

- b. A user management table for storing, in correspondence with an identifier of a user who operates the client terminal, an identifier of an unprocessed work item, an identifier of a substitute user designated by the user for each work, and an identifier of a user in charge indicative of another user who designates the client terminal user as a substitute (column 15, lines 24-32). Note that all of this would be included in the check for user authorization.
- c. A work item management table for storing, in correspondence with a work item identifier, an identifier of a business process to which the work item belongs and an identifier of a node indicating the present position of the work item (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32). Note that the next user or workgroup is determined and the appropriate information is attached to the task.
- d. A controller for allowing both the user in charge who has not yet processed a work item in the user management table and a substitute user registered as a substitute in correspondence with the business process identifier of the work item in the user management table of the user in charge to process the work item, specifying a next node identifier and a destination user from the process management table in accordance with the business process identifier of the work item and the identifier of the node in the present position with respect to the work item processed by each of the client terminals,, registering the work item as an unprocessed work item in another user management table corresponding to the destination user, and updating the identifier of the node



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indicative of the present position to the identifier of the next node in the work item management table corresponding to the work item (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32).

17. Regarding claim 9, Caruso et al. (USPN 5,848,271) teach a system which transfers a work item generated or processed at each of the client terminals to a next user in charge in accordance with a prespecified process flow with means for:

- a. Requesting from one of said client terminals to said workflow server to display a work item to be performed by a substitute user by specifying a user in charge (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32). Note that any user of the group can start the task.
- b. Selecting by the workflow server an unprocessed work item which can be processed by a user of the request source client terminal as the substitute user among unprocessed work items of the user in charge (column 15, lines 24-32)
- c. Displaying the selected work item on a display screen of the request source client terminal (figure 16h).

18. Regarding claim 10, Caruso et al. (USPN 5,848,271) teach a system which transfers a work item generated or processed at each of the client terminals to a next user in charge in accordance with a prespecified process flow with means for:

- a. Specifying by said workflow server, when a request of display of a user in charge is issued from any one of the client terminals, at least one of users in charge who designates a user of the request source client terminal as a substitute user, on the basis of management information prepared for each of

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users of the client terminals to display the user in charge on the request source client terminal (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32). Note that any member of a group may access a task.

- b. Selecting by said workflow server, when the client terminal requests to display a work item to be performed by a substitute user by specifying the user in charge, at least one of unprocessed work items which can be processed by the client terminal user among unprocessed work items of the user in charge to display the selected unprocessed work item on the client terminal (figure 16h; column 11, lines 34-38; column 13, line 18; column 15, lines 24-32).

***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caruso et al. (USPN 5,848,271) in view of Thompson et al. (USPN 6,334,133).

21. Regarding claim 2, although the system disclosed by Caruso et al. (USPN 5,848,271) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means for displaying, in response to a request from any of the client terminals, a list of users who are designated the user of the request source client terminal as a substitute on the client terminal.

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Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Caruso et al. (USPN 5,848,271), as evidenced by Thompson et al. (USPN 6,334,133).

In an analogous art, Thompson et al. (USPN 6,334,133) discloses a system for using substitute workers in the fulfillment of a workflow task with means for displaying, in response to a request from any of the client terminals, a list of users who are designated the user of the request source client terminal as a substitute on the client terminal (figure 12).

Given the teaching of Thompson et al. (USPN 6,334,133), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Caruso et al. (USPN 5,848,271) by employing the display of substitute users upon request from a client terminal. This benefits the system by allowing users to know what other people may be available to take a task or that have already completed a task.

22. Regarding claim 3, although the system disclosed by Caruso et al. (USPN 5,848,271) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose:

- a. A user management table linked to a management information for each of the users of the client terminals, for storing information regarding a substitute user designated by the user in association with each process.
- b. Wherein when any of the client terminals specifies a user serving as a user in charge and requests display of a work item to be performed by a substitute user, the controller checks qualifications of the user of the request source client terminal for a substitute user by referring to the management table

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corresponding to the user in charge and specifies work items to be performed by the substitute user and to be displayed.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Caruso et al. (USPN 5,848,271), as evidenced by Thompson et al. (USPN 6,334,133).

In an analogous art, Thompson et al. (USPN 6,334,133) discloses a system for using substitute workers in the fulfillment of a workflow task comprising:

- a. A user management table linked to a management information for each of the users of the client terminals, for storing information regarding a substitute user designated by the user in association with each process (abstract; figure 3).
- b. Wherein when any of the client terminals specifies a user serving as a user in charge and requests display of a work item to be performed by a substitute user, the controller checks qualifications of the user of the request source client terminal for a substitute user by referring to the management table corresponding to the user in charge and specifies work items to be performed by the substitute user and to be displayed (abstract; figure 3; column 4, lines 43-45). Note that appropriate substitutes are searched by skills.

Given the teaching of Thompson, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Caruso et al. (USPN 5,848,271) by employing the use of a database to store and retrieve substitutes for work fulfillment. This allows the system to rapidly add and remove personnel and to generate reports on the available substitutes.

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23. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Caruso et al. (USPN 5,848,271).

24. Regarding claim 8, although the system disclosed by Caruso et al. (USPN 5,848,271) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means for transmitting a message for reminding the process of the work item to be urgently processed to at least one of the client terminal operated by the user in charge as a destination of the work item and a client terminal operated by the substitute user designated as a substitute of the work item.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Caruso et al. (USPN 5,848,271).

A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Caruso et al. (USPN 5,848,271) by employing the use of an identifier to point out urgent tasks. This benefits the system by allowing substitute users to actively seek out and complete the most urgent tasks first.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The examiner can normally be reached on M-F 8:00AM - 4:30PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

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Kevin Parton  
Examiner  
Art Unit 2153

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